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From: Maier, Brent

Sent: Tue 9/22/2015 3:44:37 PM

Subject: U.S. EPA Press Release: EPA requires major agricultural chemical dealer to safely manage pesticides

Dear Colleagues:

The following press release is being issued today by the EPA Region IX press office. If you have questions or need any additional information, please give me a call.

Regards,

Brent Maier

Congressional Liaison
Telephone: 415.947.4256



For Immediate Release: September 22, 2015

Media Contact: Soledad Calvino, 415-972-3512, calvino.maria@epa.gov

EPA requires major agricultural chemical dealer to safely manage pesticides

SAN FRANCISCO – Today, the U.S. Environmental Protection Agency announced settlements with two associated companies for the improper storage and containment of agricultural pesticides. Fertizona, a large fertilizer and crop protection retailer, and Compton Ag Services operate six facilities in Arizona and California subject to the enforcement actions. They have agreed to pay a total of \$133,240 in civil penalties.

EPA asserted both companies had multiple violations under the Federal Insecticide, Fungicide, and Rodenticide Act, which regulates the distribution, sale and use of pesticides in the U.S. Fertizona must pay \$111,800 in penalties and, separately, Compton Ag Services was fined \$21,440.

“Pesticides must be carefully handled and stored to prevent harmful releases,” said Jared Blumenfeld, EPA’s Regional Administrator for the Pacific Southwest. “Failing to comply with the necessary safeguards is a serious violation that puts workers and the environment at risk.”

Fertizona (Arizona): The Arizona Department of Agriculture inspected Fertizona’s Arizona facilities in 2012, 2013 and 2014. As a result of these inspections, EPA claimed a total of 27 violations at five facilities located in Waddell, Buckeye, Willcox, Casa Grande, and Yuma.

At its Waddell facility, the company failed to have a secondary containment structure around the storage tank; failed to have proper safeguards for pesticide transfer equipment; failed to have the required design features to contain pesticide spills on its dispensing and loading pad; failed to use a pesticide in a manner consistent with its label; and was improperly using an external site gauge to monitor levels of liquid pesticide in a storage tank.

At its Buckeye and Willcox facilities, the company failed to clean up spilled pesticides in a timely manner. At its Buckeye, Willcox, and Casa Grande facilities, the company failed to repair unsealed cracks in the floors and walls of pesticide containment areas. In addition, the company distributed and sold misbranded pesticides, and failed to include the proper language on the labels, which consumers rely on to determine appropriate use and disposal.

Compton Ag Services (California): EPA claims that five violations were found during an inspection by the California Department of Pesticide Regulation at Compton Ag’s facility in Blythe, Calif. in October 2011. The company failed to look for visible signs of damage or leakage, and did not address maintenance issues by promptly sealing any cracks and gaps in the secondary containment structure where pesticides were stored. The company failed to implement necessary infrastructure upgrades needed to prevent

the spread of spills or leaks. Compton Ag was also cited for inadequate recordkeeping, and failure to properly label its pesticide tank.

The Federal Insecticide, Fungicide, and Rodenticide Act provides for federal regulation of sale, distribution, and use of pesticides in the United States. FIFRA authorizes EPA to review and register pesticides for specified uses, regulate safe storage and disposal of pesticides, and conduct inspections and enforcement to ensure compliance.

For more information on FIFRA, please visit: <http://www.epa.gov/agriculture/lfra.html>

For more information on FIFRA and its enforcement, please visit:

<http://www2.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act>

For more information on EPA's pesticide container/containment regulations, that include many of the requirements at issue in these cases, visit:
<http://www.epa.gov/pesticides/regulating/containers.htm>

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